

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI, Respondent,)	No. ED95206
)	
vs.)	Appeal from the Circuit Court
)	of the City of St. Louis
TRACY EDGAR GREER, Appellant.)	Filed: September 20, 2011

The defendant, Tracy Greer, appeals the judgment entered by the Circuit Court of the City of St. Louis following his conviction by a jury of three counts of assault in the first degree, in violation of section 565.050 RSMo. (2000);¹ three counts of armed criminal action, in violation of section 571.015; six counts of endangering a corrections employee, in violation of section 565.085 RSMo. (Supp. 2006); and one count of possession of a weapon in a correctional facility, in violation of section 217.360 RSMo. (Supp. 2006).

JUDGMENT REVERSED IN PART AND AFFIRMED IN PART, AND CAUSE REMANDED FOR RESENTENCING

DIVISION FOUR HOLDS: Because we conclude that the trial court sentenced the defendant to a term of imprisonment exceeding that allowed by law for each of the six counts of endangering a corrections employee, we reverse the trial court's judgment with respect to the defendant's sentences for those counts. We remand the cause with instructions for the trial court to resentence the defendant on those counts in accordance with our holding. In all other respects, we affirm the trial court's judgment.

Opinion by: Lawrence E. Mooney, J. Patricia L. Cohen, P.J., and George W. Draper III, J. concur.

Attorney for Appellant: Timothy J. Forneris

Attorney for Respondent: Chris Koster, Daniel N. McPherson

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>

¹ All statutory references are to RSMo. (2000) except as otherwise indicated.